

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Judy Murphy,

Plaintiff,

V.

Synchrony Bank,

Defendant.

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**DEFENDANT SYNCHRONY BANK'S MOTION TO STAY PROCEEDINGS PENDING
RULING BY THE D.C. CIRCUIT COURT OF APPEALS**

Defendant Synchrony Bank (“Synchrony”), by counsel, hereby moves the Court for an Order staying this action pending the outcome of the consolidated appeal of *ACA International* before the D.C. Circuit Court of Appeals. The D.C. Circuit is expected to rule in the near future regarding the definition of an “automatic telephone dialing system” under the Telephone Consumer Protection Act, and such ruling may be dispositive of many, if not all, of the claims in this case. 47 U.S.C. § 227. A stay is appropriate here so that the parties and this Court may receive clarity on these issues before further time and expense is incurred.

This Motion is or will be supported by a memorandum of law, declaration(s) and exhibits thereto, arguments of counsel at the time of any hearing, and upon the files, records and proceedings herein.

WHEREFORE, Defendant Synchrony Bank respectfully requests that the Court stay these proceedings until the decision in the consolidated appeal before the D.C. Circuit in *ACA International*, and grant such other additional relief as may be just and proper.

DATED: March 13, 2017

Respectfully Submitted,

By: /s/Aaron B. Chapin
Aaron B. Chapin (MN# 386606)

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